

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 GLORIA J. PITTS,

5 Plaintiff,

6 v.

7 CAROLYN W. COLVIN,

8 Defendant

Case No. 2:16-cv-02116-APG-GWF

**ORDER (1) DENYING MOTION TO  
REMAND, (2) GRANTING MOTION  
TO AFFIRM, AND (3) ACCEPTING  
REPORT AND RECOMMENDATION**

(ECF. Nos. 14, 18, 21)

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10 On August 27, 2018, Magistrate Judge Foley entered a report and recommendation that I  
11 deny the plaintiff's motion for remand and grant the defendant's motion to affirm. ECF No. 21.  
12 Plaintiff Gloria Pitts did not file an objection. Thus, I am not obligated to conduct a de novo  
13 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to  
14 "make a de novo determination of those portions of the report or specified proposed findings to  
15 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)  
16 (en banc) ("the district judge must review the magistrate judge's findings and recommendations  
17 de novo *if objection is made*, but not otherwise" (emphasis in original)).

18 IT IS THEREFORE ORDERED that Judge Foley's report and recommendation (**ECF No.**  
19 **21) is accepted.** Plaintiff Gloria Pitts' motion to remand (**ECF No. 14) is DENIED** and  
20 defendant Carolyn Colvin's motion to affirm (**ECF No. 18) is GRANTED.** The clerk of court is  
21 instructed to enter judgment in favor of defendant Carolyn Colvin and against plaintiff Gloria  
22 Pitts.

23 DATED this 12th day of October, 2018.

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25 ANDREW P. GORDON  
26 UNITED STATES DISTRICT JUDGE  
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